

[signal designated] data selected by said [designating] selecting means.

49. (Twice-Amended) The method [of] according to claim 48, wherein said correcting step includes holding the correction data, said correcting [performing] step correcting image [signals] data other than the reference [signal] data on the basis of the held correction data.

50. (Twice-Amended) The method [of] according to claim 45, [further comprising] wherein the displaying step displays an image associated with [a corrected image signal] correction data.

#### REMARKS

A "Request For Extension Of Time" for extending the due date for responding to the Office Action by three months and a check (\$870) to cover the fee payment for the extension are filed with this Amendment.

Claims 3, 4 and 7 stand allowable over the prior art of record.

Independent claims 38 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Usami, U.S. Patent No. 5,696,840 in view of Nagasaki et al., U.S. Patent No. 5,153,730. The rejections are respectfully traversed and reconsideration is requested.

Independent claim 38 has been amended and now recites:

An image processing system comprising:

(a) memory means for storing image data outputted from image pickup means, said memory means capable of being attached to and detached from said system;

(b) reproducing means for reproducing the image data

stored by the memory means;

(c) displaying means for displaying the image data reproduced by said reproducing means;

(d) selecting means for selecting first image data for color balance control from the image data displayed by said displaying means;

(e) producing means for producing color balance control data on the basis of the first image data selected by said selecting means; and

(f) corrections means for correcting the color balance of second image data reproduced by said reproducing means on the basis of the color balance control data, the second image data being different from the first image data.

Independent claim 45, the method claim, has been somewhat similarly amended. It is submitted that neither the Usami reference nor the Nagasaki et al. reference discloses or suggests the image processing system or the method of image processing, as claimed in the amended independent claims. Particularly, neither reference discloses or suggests selecting means for selecting first image data for color balance control from image data displayed by displaying means. The correction table 9 of Usami clearly does not select first image data for color balance control from image data displayed by displaying means. (see Fig. 1). Nor does the memory card of Nagasaki et al. reference disclose or suggest such content. More particularly, neither reference discloses or suggests producing the results of the present claimed invention in that image data is selected from a displayed image and an accurate color balance control is performed on the basis of the selected image data. Nor would the alleged combination, as suggested, disclose or suggest such content. The independent claims are therefore submitted as being patentable based upon the references failing to disclose or suggest the content of the

claims within the meaning of Section 103.

Reliance is placed on In re Fine, 5 U.S.P.Q. 2d 1596, 1600 (Fed. Cir. 1988) and Ex parte Kochan, 131 U.S.P.Q. 204 (Bd. App. 1960) for allowance of the dependent claims, since they differ in scope from the parent independent claims which are submitted as patentable.

Patentability of the claims is believed to have been established. It is submitted that this application is now in condition for allowance, except for the filing of formal drawings.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicants' counsel at (212) 682-9640.

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Respectfully submitted,



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